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DD/S 68-5512

OLC 68-0656

4 NOV 1968

MEMORANDUM FOR: Director of Communications

SUBJECT : Control of Agency Communications--
Minimum Fallback Position

1. I have approved the statement of CIA communications policy set forth in Attachment A. It is a good statement.

2. In reference to your cover memorandum of 22 October 1968 I take note of the paragraphs 2b, 2c and 2e which are extracts from the two letters written by Mr. McCone to the Bureau of the Budget in 1962. In each of these paragraphs the position is taken on what I would call a "negative" factor, namely, that if the Director did not take certain steps he would not have completely fulfilled his statutory responsibilities or he could be charged with failure to have completely fulfilled his responsibilities. While these statements are perfectly correct I feel that they are defensive--"negative"--in character and I would tend to use these sparingly in the case of any oral backup in support of our communications policy. Section 102(d)(3) of the National Security Act of 1947 was an authorization to the Director to enable him to take all those actions necessary to carry out the intelligence mission of CIA. It is a positive authority, not negative, and enables him to do any number of things to carry out the mission. Therefore, I would stress that to assure complete control of an uninterrupted, secure communications system and all the byproduct factors entailed the Director has determined that the operation of the communications system will be under his sole command and direction. In this context Agency control of communications will not be qualified or proliferated. Any Governmental action on economy or non-duplicative grounds which calls for the sharing of circuitry or lines or satellite frequencies will only be agreed to when these are dedicated allocations and not subject to administrative, technical or policy qualification.

3. I am simply trying to express the positive approach which I feel gives more force to our argument and permits our negotiators in meetings concerning national communications policy moves to take a positive position vis-a-vis Agency needs rather than reacting on the negative basis.

Att: Memo dtd 22 Oct 68 for DD/S
fr D/C, subj: CIA Minimum
Fallback Position on Control of
Agency Communications

cc : OLC, OGC

Signed R. L. Bannerman

R. L. Bannerman
Deputy Director
for Support

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